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Attorneys for Defendants
NATIONAL RAILROAD PASSENGER CORPORATION,
UNION PACIFIC RAILROAD COMPANY, AND
STATE OF CALIFORNIA, DEPARTMENT OF
TRANSPORTATION/CALTRANS

UNITED STATES DISTRICT COURT—

EASTERN DISTRICT OF CALIFORNIA—SACRAMENTO DIVISION

JOSHUA WARD, FONDA WARD,

Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF
TRANSPORTATION/CALTRANS;
CALIFORNIA AMTRAK; STATE OF
CALIFORNIA; JACOB KEATING; COUNTY
OF SACRAMENTO; COUNTY OF YOLO;
CITY OF WEST SACRAMENTO; UNION
PACIFIC RAILROAD COMPANY, a business
organization of unknown status; and DOES 1
through 50, inclusive,

Defendants.

Case No. CIV. S-04-678 FCD PAN

**STIPULATION AND ORDER RE
DISMISSAL OF CALIFORNIA
DEPARTMENT OF
TRANSPORTATION/CAL TRANS
WITH PREJUDICE, EACH PARTY TO
BEAR THEIR OWN COSTS**

IT IS HEREBY STIPULATED by and between Plaintiffs Joshua Ward and Fonda Ward and Defendants California Department of Transportation/CalTrans and Union Pacific Railroad Company, through their designated counsel, that:

1. For the purposes of this litigation only, Defendant Union Pacific Railroad Company owns and maintains the lower level of the I-Street Bridge where Plaintiff Joshua Ward sustained injuries, which are the subject of the present lawsuit, on or about March 8, 2003.

2. The above-captioned action be and hereby is dismissed with prejudice as to Defendant California Department of Transportation/CalTrans pursuant to Federal Rule of Civil Procedure 41(a)(1). Each party agrees to bear their own costs.

DATED: May 23, 2005

LOMBARDI, LOPER & CONANT, LLP

By: /s/ An H. Nguyen
AN H. NGUYEN
Attorney For Defendants CalTrans/Amtrak/Union Pacific

DATED: May 25, 2005

LAW OFFICES OF ROBERT A. PIERING, ESQ.

By: /s/ Robert A. Piering
ROBERT A. PIERING
Attorneys for Plaintiffs

ORDER

It is so ordered.

DATED: May 26, 2005

By: /s/ Frank C. Damrell Jr.
FRANK C. DAMRELL JR.
US DISTRICT JUDGE